



IAP15 Rec'd PCT/PTO 25 MAY 2006
PCT

CERTIFICATION MAILING PURSUANT TO 37 C.F.R. §1.8

I, Elea B. Lutz, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: May 22, 2006

By Elea B. Lutz

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Applicant(s): John C. Opie et al. Docket No.: 32303.00018
Application No.: 10/559,400 Group Art Unit: Not Available
Filing Date: December 5, 2005 Examiner: Anita D Johnson
Title: SURGICAL DRAINS

**TRANSMITTAL OF NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

In response to the Notification of Missing Requirements Under 35 U.S.C. in the United States Designated/Elected Office (DO/EO/US) mailed on March 21, 2006 in the above-identified application, enclosed herewith are the missing parts needed to complete filing of the subject patent application.

1. Small entity Status

[] Applicant asserts Small entity status under 37 C.F.R. §§ 1.9 and 1.27.

2. Fee Calculation

	Claims filed		Basic claims		Present Extra		Fees
Basic Filing Fee							\$000.00
Surcharge							\$130.00
Total Claims	30	minus	20	=	10	x \$ 50.00 =	\$000.00
Independent Claims	4	minus	1	=	0	x \$200.00	\$0.00
Utility Search Fee						\$500.00	\$000.00
Utility Examination Fee						\$200.00	\$000.00
						Subtotal =	\$130.00

05/31/2006 GFREY1 00000115 193878 10559400

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<input type="checkbox"/> Missing parts filed within first month after due date - add	+	120.00	
<input type="checkbox"/> Missing parts filed within second month after due date - add	+	450.00	
<input type="checkbox"/> Missing parts filed within third month after due date - add	+	1020.00	
<input type="checkbox"/> Missing parts filed within fourth month after due date - add	+	1590.00	
<input type="checkbox"/> Missing parts filed within fifth month after due date - add	+	2160.00	
	Subtotal:		\$130.00
If "small entity" status box above is checked, enter half (1/2) of Subtotal and subtract		-	
	TOTAL FILING FEE	=	\$130.00
If "assignment" box is checked, add recording fee:	+	\$ 40.00	
	TOTAL FEE ENCLOSED	=	\$130.00

3. Enclosures (check as applicable)

- ☒ Notification of Missing Requirements (copy)
- ☒ Executed Declaration and Oath
- ☐ Replacement Drawings in Compliance With 37 C.F.R. § 1.84 and 37 C.F.R. § 1.121
- ☐ Request for Correction of Filing Receipt Data
- ☐ Statement(s) of Small Entity Status under 37 C.F.R. §§ 1.9(c), 1.9(d), and 1.27
- ☐ Check for fees
- ☐ Assignment and Recordation Form Cover Sheet
- ☐ Information Disclosure Statement pursuant to 37 C.F.R §§ 1.97-1.99 (with PTO Form 1449 and copies of cited documents)
- ☐ Other:

Extra copies of this letter:

- ☒ for charge to deposit account
- ☐ for Assignment

4. Manner of Payment

- ☒ Please charge Deposit Account No. 19-3878 in that amount of \$130.00. A duplicate copy of this sheet is attached.
- ☐ A check in the amount of \$_____ is attached.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-3878 **for which purpose a duplicate copy of this sheet is attached.**

5. Assignment

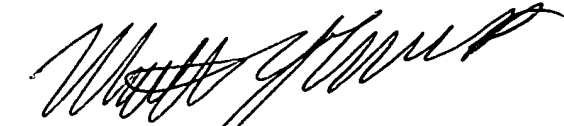
[] An Assignment of this application is enclosed. Please record the Assignment and return the recorded Assignment to the undersigned attorney.

The Patent and Trademark Office is respectfully requested to forward the application for examination.

Respectfully submitted,

Date: May 22, 2006

By



Matthew J. Evans
Reg. No. 56,530

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32303-16

Recd
fm
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SANDERS & DEMPSEY

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/559,400	John C Opie	32303.00013A

INTERNATIONAL APPLICATION NO.	
PCT/US04/18134	
I.A. FILING DATE	PRIORITY DATE
06/07/2004	06/05/2003

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Squire Sanders & Dempsey
Two Renaissance Square
40 North Central Avenue Suite 2700
Phoenix, AZ 85004-4498

CONFIRMATION NO. 5669

371 FORMALITIES LETTER



OC000000018323424

Date Mailed: 03/21/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/05/2005
- Copy of the International Search Report filed on 12/05/2005
- U.S. Basic National Fees filed on 12/05/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

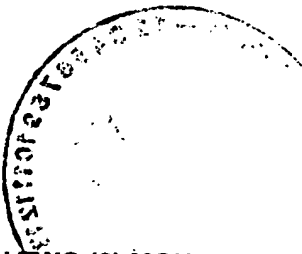
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.



The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/559,400	PCT/US04/18134	32303.00013A

FORM PCT/DO/EO/905 (371 Formalities Notice)